



Federal Communications Commission
Washington, D.C. 20554

February 4, 2005

DA 05-295

Aurora Media, LLC
c/o Marnie K. Sarver
Wiley, Rein & Fielding, LLP
1776 K Street, NW
Washington, D.C. 20006

Dear Ms. Sarver:

This refers to the Petition for Rule Making filed on January 12, 2005, on behalf of Aurora Media, LLC, the winning bidder at FCC Auction 37 for the Channel 233C1 allotment at Caliente, Nevada. At this time, Aurora Media, LLC is an applicant for this allotment (File No. BNPH-20050103AFD). In the Petition for Rule Making, you propose to reallocate Channel 233C1 from Caliente to Moapa, Nevada, in order that once authorized, the station be licensed at Moapa.

You filed this Petition for Rule Making pursuant to the Commission action in *Modification of FM and TV Authorizations to Specify a New Community of License* which adopted Section 1.420(i) of the Commission's rules.¹ Section 1.420(i) of the rules provides for the modification of a station *license* or *construction permit* to specify a new community of license without entertaining competing expressions of interest for the station at the new community of license. Aurora Media, LLC is not a licensee or permittee and, at this time, would be ineligible to seek a change in community of license pursuant to Section 1.420(i) of the rules.

Accordingly, we are returning your Petition for Rule Making.

Sincerely,

John A. Karousos,
Assistant Chief, Audio Division
Media Bureau

¹ *Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 3870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990).